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methacrylate, 2-hydroxyethyl methacrylate, acrylonitrile, vinyl acetate, styrene, acrylamide and vinylpyrrolidone, said modified natural rubber having a graft [ratio of from 26.5% to 36.7%] efficiency of 62.7% or more and an epoxidation ratio per 5 hours of 26.0% or more [of from 26.0% to 30.2%].

REMARKS

Claims 1-3 and 7-10 are pending in the present application. Support for the amendment to claim 1 is found at page 20, Example 3 of Table 1 regarding the graft efficiency value; and page 22, Table 2, Example 6 regarding the Epoxidation ratio. No new matter is raised by the Amendment.

Rejection under 103

Claims 1-3 and 7-10 stand rejected under 35 USC 103 as being unpatentable over Tanaka et al. EP '597 taken with Kondo et al. US '490 and Burlett US '546 or Hayashi et al. U '340. The rejection is traversed.

Tanaka et al. is directed to a deproteinized natural rubber and process for producing the same. Tanaka et al. fails to suggest a modified deproteinized natural rubber having an improved graft efficiency of 62.7% or more and an improved epoxidation ratio per 5 hours of 26.0% or more. Accordingly,

absent a suggestion to modify the Tanaka et al. rubber further, Tanaka et al. fails as a primary reference because one skilled in the art would not be motivated to modify the Tanaka et al. rubber any further.

Likewise, Kondo et al is also deficient in suggesting a modified deproteinized natural rubber having an improved graft efficiency of 62.7% or more and an improved epoxidation ratio per 5 hours of 26.0% or more. Accordingly, absent a suggestion to modify the Kondo et al. rubber further, Kondo et al. also fails as a primary reference.

Moreover, the Examiner's attention is directed to Table 2 where it is shown that modified rubbers having an epoxidation ratio of 26.0% or more are unexpectedly superior with respect to plasticity than comparative products where the epoxidation ratio is less than 26.0;

Burlett et al. and Hayashi et al. also fail to appreciate or suggest how to make a modified deproteinized natural rubber having an improved graft efficiency of 62.7% or more and an improved epoxidation ratio per 5 hours of 26.0% or more without gel formation.

Accordingly, the rejection under 35 USC 103 is untenable and should be withdrawn.

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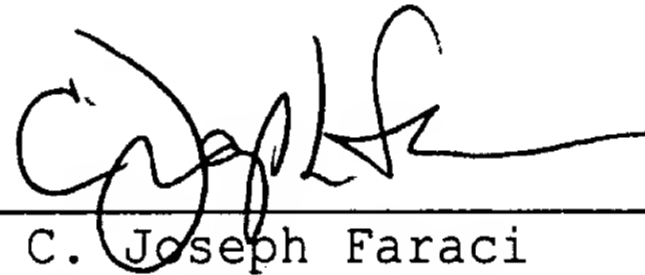
Pursuant to 37 CFR 1.17 and 1.136(a), the Applicants respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



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